

FORM PTO-1390  
(REV. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

LEXSA.P25

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

107018738

INTERNATIONAL APPLICATION NO.

PCT/CU01/00002

INTERNATIONAL FILING DATE

17/04/2001

PRIORITY DATE CLAIMED

18/4/2000 April 18, 2000

TITLE OF INVENTION

Composition and Method for Detecting and Early and Differentiated...

APPLICANT(S) FOR DO/EO/US

Centro Nacional de Biopreparados

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An ~~oath or declaration~~ <sup>unsigned</sup> of the inventor(s) (35 U.S.C. 371(c)(4)) (signed Declaration to Follow)
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. (to follow)
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: PCT Request; International Search Report; PCT WO 01/81615 A1 Publication

U.S. APPLICATION NO. (if known, see 37 CFR 1.51) **10/018730**  
INTERNATIONAL APPLICATION NO. PCT/US01/00002ATTORNEY'S DOCKET NUMBER  
LEXSA.P2521. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO. .... **\$1040.00**International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... **\$890.00**International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$740.00**International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$710.00**International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00****ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO USE ONLY****\$890.00**Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).**\$130.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	20 - 20 =	-0-	x \$18.00	\$ -0-
Independent claims	3 - 3 =	-0-	x \$84.00	\$ -0-
MULTIPLE DEPENDENT CLAIM(S) (if applicable) -0-			+ \$280.00	\$ -0-

**TOTAL OF ABOVE CALCULATIONS = \$1,020.00**☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

\$ -0-

**SUBTOTAL =****\$1,020.00**Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☒ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ 130.00

**TOTAL NATIONAL FEE = \$1,150.00**Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

\$ -0-

**TOTAL FEES ENCLOSED = \$1,150.00**Amount to be  
refunded:

\$

charged:

\$

- a. ☒ A check in the amount of \$ 1,150.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 1070100. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.SEND ALL CORRESPONDENCE TO:  
Lackenbach Siegel  
One Chase Road  
Scarsdale, NY 10583

SIGNATURE

Marvin Feldman

NAME

25,797

REGISTRATION NUMBER

0/018738

531 Rec'd PCT

17 DEC 2001

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as  
EXPRESS MAIL No. EL 135 665 009 US  
under 37 CFR 1.10 Certt. in an envelope addressed to:  
Commissioner of Patents and Trademarks, Washington, D.C. 20231

  
Marvin Feldman

Dated:

December 17, 2001

Applicant hereby petitions that any and all extensions of the term  
necessary to render this response timely be granted. Costs for such  
extension(s) and or any other fee due with this paper, not fully covered  
by an enclosed check may be charged to Deposit Account #10-0100.

**EXPRESS MAILING CERTIFICATE**

In re the application of:

APPLICANT:

Centro Nacional de Biopreparados

INTERNATIONAL  
APPLICATION NO:

PCT/CU01/00002

BASED ON  
PRIORITY APPLICATION NO:

CU 83/2000

TITLE:

Composition and Method for Detecting and Early  
Differentiated Counting of Gram-Negative Microorganisms

EXPRESS MAIL FILED:

December 17, 2001

RECEIVED  
DEC 17 2001  
PCT